

The purpose of this policy is to establish an orderly procedure for reducing the number of licensed, professional employees of the school system.

A. GROUNDINGS FOR REDUCTION IN FORCE

A reduction in force may be implemented when the Board determines that any of the following circumstances have resulted in the need to decrease the number of licensed, professional positions:

1. District Reorganization

District reorganization is defined as (a) the closing, consolidation, or reorganization of schools, school buildings, or facilities; (b) the elimination, curtailment, or reorganization of a curriculum offering, program, or school operation; or, (c) the merger of two or more school systems.

2. Declining Enrollment

Declining enrollment exists (a) when the enrollment or projected enrollment for the next succeeding school year causes a decrease in the number of teaching or administrative positions allocated by the State or any other funding source; or, (b) when the enrollment or projected enrollment of a curriculum offering or program for the next succeeding school year is inadequate to justify continuation of the course or program.

3. Financial Exigency

Financial exigency means (a) any significant decline in the Board's financial resources that compels a change in the school district's current operational budget; (b) any significant decrease or elimination in funding for a particular program; or, (c) any insufficiency in funding that would render the Board unable to continue existing programs at current levels.

B. PRELIMINARY DETERMINATION

1. The Superintendent shall determine whether or not a reduction in force for licensed employees is necessary, appropriate, or in the best interests of the school system.
2. If the Superintendent decides to recommend to the Board a reduction in force, he or she shall first determine which licensed positions shall be subject to the reduction. In making that determination, the Superintendent shall account for both:

- a. ~~Structural considerations, such as identifying positions, departments, courses, programs, operations, and other areas where there are (1) less essential, duplicative, or excess personnel; (2) job responsibility and/or position inefficiencies; (3) opportunities for combined work functions; and/or, (4) decreased student or other demands for curriculum, programs, operations, or other services; and,~~
- b. ~~Organizational considerations, such as anticipated organizational needs of the school system and program/school enrollment.~~

~~This subsection will expire on June 30, 2013.~~

3. ~~The Superintendent shall then present a recommendation to the Board. The recommendation must include:~~
 - a. ~~The grounds for a reduction in force;~~
 - b. ~~The licensed positions to be reduced, categorized by area(s) of licensure and/or program responsibility; and,~~
 - c. ~~The background information, data, and rationale for the recommendation.~~
4. ~~The Board will review the Superintendent's recommendation and will determine whether to reduce the number of licensed employees or to reduce their terms of employment.~~
5. ~~If the Board, after exploring, considering, and discussing a variety of ways to avoid a reduction in force, determines that a reduction in force of licensed employees is necessary, the Superintendent shall recommend to the Board which individuals are to be dismissed, demoted, or reduced to part-time employment, based on the criteria set forth below.~~
6. ~~The proposed reduction may occur on a system-wide, department, program, service, or school basis, or otherwise.~~

~~C. CRITERIA~~

~~The primary consideration in any reduction in force will be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school district. The Superintendent shall consider a variety of factors in determining which employees will be included in the reduction in force, including the following:~~

1. ~~Performance, as indicated on evaluations and other formal documentation, such as a supervisor's determination as to an employee's recent performance, employee's~~

~~performance ratings and evaluations, and any other performance related documentation and/or disciplinary action over the last three (3) years;~~

- ~~2. Area(s) of licensure;~~
- ~~3. "Highly qualified" status;~~
- ~~4. Program enrollment;~~
- ~~5. Service in extra duty positions and ability to fill such positions;~~
- ~~6. Length of service, with higher priority given to service in this school system;~~
- ~~7. Degree level; and,~~
- ~~8. Status as a part-time or return-to-work employee.~~

~~The Superintendent shall develop a system for using the above mentioned factors to determine which employees will be recommended to the Board for inclusion in the reduction in force. The Superintendent may determine that special or exceptional circumstances exist that would warrant limited exceptions to the application of such criteria to specific individuals, consistent with Board policy, state, and federal law (e.g., the desire to retain employees specifically qualified and/or necessary to complete or continue a program/project or to sponsor or coach an extracurricular activity, or other special circumstances). Such instances will be reported to the Board.~~

~~D. PROCEDURE FOR TERMINATION~~

~~The Board will consider the Superintendent's recommendation and may, by resolution, order dismissal or demotion of an individual or reduce an individual to part-time employment. All requirements of N. C. Gen. Stat. § 115C-325 will be met, including the time limits and procedures for notice and the opportunity for a hearing, when any career employee (as defined in N. C. Gen. Stat. § 115C-325) is terminated, demoted, or reduced to part-time employment due to a reduction in force.~~

~~E. TERMINATION/REEMPLOYMENT OF A CAREER EMPLOYEE~~

~~In the event that a licensed, professional employee is terminated, demoted, or reduced to part-time employment due to a reduction in force, the Superintendent shall furnish to the employee a written notice of the Board's decision to reduce the number of licensed employees or to reduce their terms of employment in accordance with this policy. When a career employee is dismissed in accordance with this policy, his or her name will be placed on a list of available employees to be maintained by the Board.~~

~~F. NONRENEWAL OF AN EMPLOYEE~~

~~The Board, upon recommendation of the Superintendent, may refuse to renew the contract of a probationary teacher, to offer a new, renewed, or extended contract to a school administrator, or to reemploy any teacher who is not under contract for any cause it deems sufficient. A decision (1) not to renew a probationary teacher's contract, (2) not to renew, extend, or offer a new contract to a school administrator, or (3) not to reemploy any teacher who is not under contract is not considered a "termination" under this policy. In such circumstances, the procedures set forth in this policy are not required to be followed before the Board's decision. In the event that the Board, upon recommendation of the Superintendent, refuses (1) to renew the contract of a probationary teacher, (2) to offer a new, renewed, or extended contract to a school administrator, or (3) to reemploy any teacher who is not under contract as a result of district reorganization, declining enrollment, or financial exigency, the Superintendent shall furnish to the employee a written notice of the Board's decision.~~

~~Legal References: N. C. Gen. Stat. § 115C 325; S.L. 2011 145~~

~~APPROVED BY BOARD
AND EFFECTIVE 3/9/82
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